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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

8 DELORES MINIX,
9 Plaintiff,
10 v.
11 JPMORGAN CHASE BANK, N.A. et al.,
12 Defendants.
No. C 11-03478 SI
**ORDER TO SHOW CAUSE
SHOULD NOT BE FILED
FAILURE TO PREPARE
VACATING NOVEMBER
HEARING**

ORDER TO SHOT

**ORDER TO SHOW CAUSE WHY CASE
SHOULD NOT BE DISMISSED FOR
FAILURE TO PROSECUTE; AND
VACATING NOVEMBER 18, 2011
HEARING**

15 On July 14, 2011, plaintiff – who is represented by counsel – filed this suit in Santa Clara County
16 Superior Court. Defendants removed this action to the Northern District of California and the matter
17 was assigned to Judge Jeremy Fogel. On September 28, 2011, the case was re-assigned to Judge Susan
18 Illston, located at the federal courthouse at 450 Golden Gate Avenue, San Francisco, CA 94101.

19 On July 22, 2011, defendants JP Morgan Chase Bank, N.A. and Mortgage Electronic
20 Registration Systems, Inc. filed a motion to dismiss plaintiff's complaint. Plaintiff did not file a timely
21 reply to this motion. However, because the case was re-assigned to Judge Illston, all of the matters
22 scheduled for hearing were vacated and the parties were order to re-file their motions. On September
23 30, 2011, defendants JP Morgan Chase and Mortgage Electronic Registration Systems re-filed their
24 motion to dismiss. Doc. 21. The motion is scheduled for a hearing on November 18, 2011. Pursuant
25 to Civil Local Rule 7-3(a), plaintiff's opposition was due by October 14, 2011. Plaintiff has not yet filed
26 an opposition, nor has she communicated in any way with the Court concerning these matters.

27 Plaintiff is hereby **ORDERED TO SHOW CAUSE** in writing to be filed no later than
28 **November 28, 2011**, why this case should not be dismissed without prejudice for failure to prosecute.

1 *See* Fed. R. Civ. Proc. 41(b). Plaintiff is notified that an inadequate or untimely response will result in
2 dismissal. **The November 18, 2011 hearing on defendants' motion to dismiss is VACATED, and**
3 **will be rescheduled if necessary.**

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6 **IT IS SO ORDERED.**

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8 Dated: November 14, 2011

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SUSAN ILLSTON
United States District Judge